

**Notice of Allowability**

Application No.

10/686,502

Applicant(s)

ISHIKAWA ET AL.

Examiner

Art Unit

Stevan A. Resan

1773

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Application.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☒ The drawings filed on 14 October 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 09/530,005.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**STEVAN A. RESAN**  
**PRIMARY EXAMINER**

Art Unit: 1773

1. An examiner's amendment to the record appears below. This examiner's amendment was entered in the parent cases 09/530,005, 10/170,830, and 10/341739 and carries forward in this continuation. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The following represents the amendments that were made and applied to the claims:

Claim 1 has been amended at line 3 to delete "fine"

Claim 2 has been amended at line 2 to delete "fine" (two occurrences)  
at line 3 to delete "of prescribed form"

Claim 4 has been amended at line 1 to delete "fine"

Claim 5 has been amended at line 1 to delete "comprises" and insert:

" is selected from the group consisting of "  
at line 2 to change "or" to "and"

Claim 10 has been amended at line 2 to delete "comprises" and insert:

"are selected from the group consisting of"  
and to replace "or" with "and"

Claim 11 has been amended at line 2 to delete "prescribed"

Claim 16 has been amended at line 3 to delete "fine" and to insert "been" between "having" and "dispersed"

Claim 16 has also been amended at line 7 to delete "fine" and at lines 7-8 to delete:  
" of prescribed form"

Also the paragraph beginning at page 1 line 1 has been updated by inserting "U.S.

Application Serial No. 10/341739, filed January 14, 2003, and " at line 2 after "of".

The paragraph now reads as follows:

This application is a continuation and claims the benefit of priority under 35 USC 120 of U.S. Application Serial No. 10/341,739, filed January 14, 2003, now abandoned, U.S. Application Serial No. 10/170,830, filed June 13, 2002, now abandoned, and U.S. Application No. 09/530,005, filed April 21, 2000, now abandoned. In addition, this application claims the benefit of priority under 35 U.S.C. 119 of: 371 PCT/JP98/04767, filed October 21, 1998, which claims the benefit of Japanese Application Number 9-289885, filed October 22, 1997.



**STEVAN A. RESAN**  
**PRIMARY EXAMINER**